

# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
70195-0032

Total Pages in this Submission

## TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**HEATER FOR PHYSIOLOGICAL FLUIDS**

and invented by:

**Wesley H. VERKAART**

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☒ **Continuation** ☐ **Divisional** ☐ **Continuation-in-part (CIP)** of prior application No.: 08/758,853

Which is a:

☒ **Continuation** ☐ **Divisional** ☐ **Continuation-in-part (CIP)** of prior application No.: 08/571,706

Which is a:

☒ **Continuation** ☐ **Divisional** ☐ **Continuation-in-part (CIP)** of prior application No.: 08/145,099

Enclosed are:

### Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 9 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☐ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

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## Application Elements (Continued)

3. ☒ Drawing(s) (when necessary as prescribed by 35 USC 113)
- a. ☒ Formal                      Number of Sheets five (5)
- b. ☐ Informal                      Number of Sheets \_\_\_\_\_
4. ☒ Oath or Declaration
- a. ☐ Newly executed (original or copy)                      ☐ Unexecuted
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☒ With Power of Attorney                      ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (usable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Program in Microfiche (Appendix)
7. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)
- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy (identical to computer copy)
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

## Accompanying Application Parts

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure Statement/PTO-1449                      ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☐ Acknowledgment postcard
14. ☐ Certificate of Mailing
- ☐ First Class    ☐ Express Mail (Specify Label No.): \_\_\_\_\_

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(Large Entity)**

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**Accompanying Application Parts (Continued)**

15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*

16. ☒ Additional Enclosures *(please identify below):*

Assent of Assignee  
Offer to Surrender Patent Under 37 CFR 1.178

**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

17. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

***An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.***

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(Large Entity)***(Only for new nonprovisional applications under 37 CFR 1.53(b))*Docket No.  
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**HEATER FOR PHYSIOLOGICAL FLUIDS**

and invented by:

**Wesley H. VERKAART**If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☒ **Continuation**   ☐ **Divisional**   ☐ **Continuation-in-part (CIP)** of prior application No.: 07/979,434

Which is a:

☒ **Continuation**   ☐ **Divisional**   ☐ **Continuation-in-part (CIP)** of prior application No.: 07/558,177

Which is a:

☐ **Continuation**   ☐ **Divisional**   ☐ **Continuation-in-part (CIP)** of prior application No.: reissue: 06/866,910

Enclosed are:

**Application Elements**

1. ☐ Filing fee as calculated and transmitted as described below
2. ☐ Specification having \_\_\_\_\_ pages and including the following:
  - a. ☐ Descriptive Title of the Invention
  - b. ☐ Cross References to Related Applications *(if applicable)*
  - c. ☐ Statement Regarding Federally-sponsored Research/Development *(if applicable)*
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  - f. ☐ Brief Summary of the Invention
  - g. ☐ Brief Description of the Drawings *(if drawings filed)*
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  - i. ☐ Claim(s) as Classified Below
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(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
70195-0032

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JC903 U.S. PTO  
10/032559  
01/02/02

Adjustment Date: 01/08/2002 EFANAEIA  
01/03/2002 FFANAEIA 00000017 501088 10032559  
01 FC:101 740.00 CR  
02 FC:103 162.00 CR  
03 FC:128 1960.00 CR

## Fee Calculation and Transmittal

### CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	29	- 20 =	9	x \$18.00	\$162.00
Indep. Claims	3	- 3 =	0	x \$84.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$740.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$902.00

- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **50-1088** as described below. A duplicate copy of this sheet is enclosed.
- ☒ Charge the amount of **\$902.00** as filing fee.
  - ☒ Credit any overpayment.
  - ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
  - ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

*Conrad Clark*

Signature

Conrad J. Clark, Reg. No. 30,340  
Clark & Brody  
1750 K Street, NW, Suite 600  
Washington, DC 20006  
Telephone: 202-835-1111  
Facsimile: 202-835-1755

Dated: January 2, 2002

CC:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :  
Wesley H. Verkaart : Art Unit:  
Reissue of 4,759,749 : Examiner:  
Filed: July 26, 1990 :  
HEATER FOR PHYSIOLOGICAL FLUIDS :

ASSENT OF ASSIGNEE

Hon. Commissioner of Patents  
and Trademarks

SIR:

Level 1 Technologies, Inc., the assignee of the entire right,  
title and interest in the above noted patent hereby assents to the  
filing of this reissue application.

  
Wesley H. Verkaart  
Managing Director

Date: July 25, 1990

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :  
Wesley H. Verkaart : Art Unit:  
Reissue of 4,759,749 : Examiner:  
Filed: July 26, 1990 :  
HEATER FOR PHYSIOLOGICAL FLUIDS :

OFFER TO SURRENDER PATENT UNDER 37 CFR §1.178

Hon. Commissioner of Patents  
and Trademarks

SIR:

Level 1 Technologies hereby offers to surrender the original patent in the above identified matter. The original patent grant will be supplied during the prosecution of the reissue application.

  
Wesley H. Verkaart  
Managing Director

Date: July 25, 1990